

**REQUIRED STATEMENT
TO ACCOMPANY MOTIONS FOR RELIEF FROM STAY**

All Cases: Debtor(s) Ebro Foods, Inc. Case No. 09 B 10101 Chapter 11

All Cases: Moving Creditor Silgan Equipment Co. Date Case Filed 03/24/09

Nature of Relief Sought: ☒ Lift Stay ☐ Annul Stay ☐ Other (describe) _____

Chapter 13: Date of Confirmation Hearing _____ or Date Plan Confirmed _____

Chapter 7: ☐ No-Asset Report Filed on _____
☐ No-Asset Report not Filed, Date of Creditors Meeting _____

1. Collateral
 - a. ☐ Home
 - b. ☐ Car Year, Make, and Model _____
 - c. ☒ Other (describe) Leased Manufacturing Equipment
2. Balance Owed as of Petition Date \$ 12,622.50
Total of all other Liens against Collateral \$ 0
3. In chapter 13 cases, if a post-petition default is asserted in the motion, attach a payment history listing the amounts and dates of all payments received from the debtor(s) post-petition.
4. Estimated Value of Collateral (must be supplied in *all* cases) \$ \$30,000
5. Default
 - a. ☒ Pre-Petition Default
Number of months 5 Amount \$ 12,622.50
 - b. ☒ Post-Petition Default
 - i. ☒ On direct payments to the moving creditor
Number of months 6 Amount \$ 15,147.00 + fees and costs
 - ii. ☐ On payments to the Standing Chapter 13 Trustee
Number of months _____ Amount \$ _____
6. Other Allegations
 - a. ☒ Lack of Adequate Protection § 362(d)(1)
 - i. ☐ No insurance
 - ii. ☐ Taxes unpaid Amount \$ 2,057.00
 - iii. ☐ Rapidly depreciating asset
 - iv. ☒ Other (describe) unpaid rent and attorneys' fees accruing, estate possibly insolvent
 - b. ☐ No Equity and not Necessary for an Effective Reorganization § 362(d)(2)
 - c. ☒ Other "Cause" § 362(d)(1)
 - i. ☐ Bad Faith (describe) _____
 - ii. ☐ Multiple Filings
 - iii. ☒ Other (describe) refusal to honor obligations in lease agreement under Sec. 365)d)5
 - d. Debtor's Statement of Intention regarding the Collateral
 - i. ☐ Reaffirm
 - ii. ☐ Redeem
 - iii. ☐ Surrender
 - iv. ☒ No Statement of Intention Filed

Date: March 1, 2010 /s Douglas M. Chalmers
Counsel for Movant